IAP20 Rec'd PCT/PTO 07 APR 2006

FORM PTO-1390 ATTORNEY'S DOCKET NUMBER U.S. DEPARTMENT OF COMMERCE ATENT AND TRADEMARK OFFICE (Rev. 11-2000) 689290-266 TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S.APPLICATION (Introduction) See 37 CFR 1.5) CONCERNING A FILING UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED 8 October 2003 PCT/US2004/033072 7 October 2004 TITLE OF INVENTION CANCER-LINKED GENES AS TARGETS FOR CHEMOTHERAPY 1.00 APPLICANT(S) Colyn B. CAIN, Steven K. HORRIGAN, and Jeffrey W. STROVEL Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. 🛛 This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. 🔲 This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. 🛛 This is an express request for national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. 🛛 The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. 🖂 A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a.

is attached herewith (required only if not communicated by the International Bureau). b. has been communicated by the International Bureau. c. X is not required, as the application was filed in the United States Receiving Office (RO/US) 6. 🔲 An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. I is attached hereto. b. has been previously submitted under 35 U.S.C. 154(d)(4). 7: 🛛 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. are attached hereto (required only if not communicated by the International Bureau). b. A have been communicated by the International Bureau. c. A have not been made; however, the time limit for making such amendments has NOT expired. d. \(\sum \) have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern other document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A FIRST preliminary amendment. 14. A SECOND or SUBSEQUENT preliminary amendment. A substitute specification. 16. A change of power of attorney and/or address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825. 18. A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. A second copy of the English language translation of the international application under 35 U.S.C. 15(d)(4). 20. Other items or information: Sequence Listing on CD-ROM and Statement under 37 C.F.R. 1.821(f)

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2**0 Rec'd?CT/PTO** 07 APR 2006 NEERNATIONAL APPLICATION NO. PATUS 2004/033072 U.S. APPLICATION NO. (If kn ATTORNEY'S DOCKET NUMBER 689290-266 21. The following fees are submitted: **CALCULATIONS** PTO USE ONLY Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO and JPO \$300.00 \$500.00 National Stage Search Fee – U.S. was not the ISA..... International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO and all claims did not satisfy provisions of PCT Article 33(1)-(4) \$200.00 International preliminary examination fee (37 CFR(1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = 1000.00 \$ Surcharge of \$130.00 for furnishing the oath or declaration later than □ 20 130.00 \$ months from the earliest claimed priority date (37 CFR 1.492(e)). **CLAIMS** NUMBER FILED *NUMBER EXTRA RATE \$ Total Claims 43 - 20 = 23 X \$50.00 1150.00 \$ Independent Claims 12 9 X \$200.00 1800.00 - 3 = \$ MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 0.00 \$ **TOTAL OF ABOVE CALCULATIONS** 4080.00 \$ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated 2040.00 \$ above are reduced by 1/2 \$ 2040.00 SUBTOTAL Processing fee of \$130.00 for furnishing the English translation later than \(\subseteq 20 \) \(\subseteq \subseteq 30 \$ months from the earliest claimed priority date (37 CFR 1.492(f)) 2040.00 **TOTAL NATIONAL FEE** \$ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be \$ accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property 2040.00 **TOTAL FEES ENCLOSED =** \$ Amount to be \$ refunded: charged: \$ a. M A check no. in the amount of \$2040.00 to cover the above fees is enclosed. Please charge my Deposit Account No. 03-0678 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-0678. A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card d. information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: Date: 7 April 2006 ALAN J. GRANT, Esq. SIGNATURE Carella, Byme, Bain, Gilfillan, Cecchi, Stewart & Olstein 5 Becker Farm Road NAME Roseland, New Jersey 07068 ALAN J. GRANT **REGISTRATION NUMBER: 33,389**